



Order Filed on October 3, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b> Bradford J. Sandler, Esq. Paul J. Labov, Esq. Beth E. Levine, Esq. <b>PACHULSKI STANG ZIEHL &amp; JONES LLP</b> 780 Third Avenue, 34th Floor New York, NY 10017 Telephone: (212) 561-7700 Facsimile: (212) 561-7777 bsandler@pszjlaw.com plabov@pszjlaw.com blevine@pszjlaw.com  James S. Carr, Esq. Dana P. Kane, Esq. Sean T. Wilson, Esq. <b>KELLEY DRYE &amp; WARREN LLP</b> One Jefferson Road, Second Floor Parsippany, NJ 07054 Telephone: (973) 503-5900 Facsimile: (973) 503-5950 jcarr@kelleydrye.com dkane@kelleydrye.com swilson@kelleydrye.com  <i>Counsel to the Liquidation Trustee</i>
In re:  RTW RETAILWINDS, INC., <sup>1</sup>  Debtor.  META Advisors LLC, in its capacity as Liquidation Trustee of the RTW Liquidation Trust,  Plaintiff,  v.  SOURCING UNLIMITED LLC,  Defendant.

Case No.: 20-18445 (JKS)

Chapter 11

Hearing Date:


Adv. Proc. No. 22-01173 (JKS)

Judge: Hon. John K. Sherwood

**JOINT ORDER SCHEDULING  
PRETRIAL PROCEEDINGS AND TRIAL**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby **ORDERED**.

**DATED: October 3, 2022**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

<sup>1</sup> The remaining Debtor in this chapter 11 case and the last four digits of the Debtor's federal tax identification number is RTW Retailwinds, Inc. (1445). By order and final decree entered February 22, 2021, the chapter 11 cases of the Debtor's affiliates were closed [Docket No. 844].

A pretrial conference, having been scheduled pursuant to *Fed.R.Civ.P.* 16(b) and (e), made applicable to these proceedings by *Fed.R.Bankr.P.* 7016, it is

**ORDERED** that

1. All fact discovery is to be completed by December 26, 2022. Any motions to compel discovery are to be made so that the Court can rule and the discovery can be obtained before that date. Late filed discovery motions will not constitute cause for an adjournment of the scheduled trial date. To the extent any party seeks to introduce expert testimony, an amended joint scheduling order must be filed no later than 30 days after the above date, providing for the delivery of expert reports and completion of expert discovery.

2. The parties to this Order consent to the Bankruptcy Court's adjudication and entry of final judgment on all claims and defenses raised in this proceeding, unless specifically contested in pleadings which comply with Fed. R. Bankr. P. 7008 and Fed. R. Bankr. P. 7012. To the extent any party does not so consent, that party must file a motion within 30 days of the entry of this Order seeking a determination as to whether this Court may adjudicate to final judgment any or all claims and defenses. The failure to timely file such a motion shall be deemed consent to the Bankruptcy Court's adjudication and entry of final judgment on all claims and defenses raised in this proceeding.

3. Any party seeking to amend pleadings or add additional parties, must do so by filing a motion no later than 30 days after the close of fact discovery.

4. All other motions must be filed no later than 30 days after the completion of all discovery. Late filed motions will not constitute cause for an adjournment of the trial date.

5. Each party must pre-mark the exhibits which may be used at trial.

6. 14 days before trial each party must:

(a) serve a copy of the pre-marked exhibits on each opposing party and provide one bound copy of the exhibits to the Court in Chambers (not to be docketed by the Clerk); and

(b) file, and serve on each opposing party a list of witnesses.

7. All exhibits will be admitted into evidence and witnesses permitted to testify at trial, unless a written objection has been filed 7 days before the trial date. Only parties identified on the witness list will be permitted to give testimony.

8. Any party intending to introduce deposition testimony at trial must serve on each opposing party and file copies of the transcript pages with excerpts highlighted.

9. Within 14 days from the conclusion of the trial, unless such time is extended by the Court, each party must file, and serve on each opposing party, separately numbered proposed findings of fact and conclusions of law with supporting legal citations.

10. Trial will begin on \_\_ March 22, 2023 at \_\_ 10:00 am \_\_\_\_ or as soon as the matter may be heard, at:

UNITED STATES BANKRUPTCY COURT ADDRESS:  
50 Walnut Street, 3rd Floor  
Newark, N.J. 07102  
Courtroom No. 3D

**PARTIES MUST BE PREPARED TO PROCEED TO TRIAL ON THE SCHEDULED DATE. ADJOURNMENTS WILL BE GRANTED ONLY FOR COMPELLING REASONS BEYOND THE CONTROL OF THE PARTIES. UNDER D.N.J. LBR 5071-1, PARTIES REQUESTING AN ADJOURNMENT MUST SUBMIT LOCAL FORM, *ADJOURNMENT REQUEST*, VIA CHAMBERS EMAIL NOT LATER THAN 3 DAYS BEFORE THE TRIAL DATE.**